

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 2:23-CR-20583

v.

HON. Stephen J, Murphy, III

D-3 Erick Carabarin-GOMEZ,

Defendant.

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**STIPULATION FOR CONTINUANCE OF THE FINAL PRETRIAL
CONFERENCE DATES AND FINDING OF EXCLUDABLE
DELAY**

Through their respective counsel, the parties stipulate and agree to an adjournment of the current trial schedule, so that defendant, Gomez, can be on the same trial calendar as his co-defendants.

Defendant Gomez was just appointed counsel on November 6, 2023, due to the complexity of the case and the defense's need for additional time to consider the government's plea agreement offer; therefore, the parties stipulate and agree to an adjournment of the final pretrial conference/plea hearing from Thursday, December 21, 2023 at 11:30 a.m. to Tuesday, February 20, 2024 at 10 a.m.; and, the parties

stipulate and agree to an adjournment of the trial from Tuesday, January 2, 2024 at 9 a.m. to Tuesday, March 12, 2024 at 9 a.m.

Pursuant to 18 U.S.C. § 3161(h)(7)(A), the parties stipulate that the extended time period from the date of this stipulation shall constitute excludable delay as it will allow the parties additional time to engage in pretrial negotiations, and that the ends of justice served by this delay outweigh the best interests of the defendant and the public in a speedy trial.

IT IS SO STIPULATED.

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Date: Friday, November 24, 2023

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Upon this Court's consideration of the parties' stipulation for a continuance and the Court being apprised of the circumstances, IT IS ORDERED that, the current trial schedule be adjourned so that Defendant Gomez is on the same trial schedule as the co-defendants. Therefore, due to the defendant just being appointed counsel on November 6, 2023, as well as the complexity of the case, and the defense's need for additional time to consider the government's plea agreement offer IT IS ORDERED that the final pretrial conference/plea hearing be adjourned from Thursday, December 21, 2023 at 11:30 a.m.

to Tuesday, February 20, 2024 at 11 a.m.; and, that the trial be adjourned from Tuesday, January 9, 2024 at 9 a.m. to Tuesday, March 12, 2024 at 9 a.m.

IT IS FURTHER ORDERED that the time period between those dates shall be deemed excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161, because considering the factors listed in section 3161(h)(7)(B), and the reasons given by the parties, this Court finds that the ends of justice served by this delay outweighs the best interests of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

s/Stephen J. Murphy, III

HON. Stephen J. Murphy, III

United States District Judge

Dated: November 27, 2023